

Message Text

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PAGE 01 NEW DE 05310 121359Z

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ACTION DHA-02

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 5225

C O N F I D E N T I A L NEW DELHI 5310

E.O. 11652: GDS

TAGS: PINT, IN

SUBJECT: TORTURE

1. THE EMBASSY AND CONSULATES OCCASIONALLY RECEIVE LETTERS AND OTHER SECOND-HAND REPORTS FROM INDIA'S UNDERGROUND DESCRIBING ALLEGED CASES OF TORTURE AND BEATING OF POLITICAL PRISONERS. WE NOTE THAT SEVERAL OF THESE REPORTS HAVE RECENTLY FOUND THEIR WAY INTO THE AMERICAN PRESS, E.G., A MARCH 27 JACK ANDERSON COLUMN IN THE WASHINGTON POST.

2. WE HAVE NOT BEEN ABLE TO CONFIRM ANY OF THESE REPORTS BUT THEY DO PERSIST AND IT SEEMS LIKELY THERE HAVE BEEN CASES OF POLICE BRUTALITY. THE CONSULATE AT BOMBAY TELLS US THAT THE LEADER (JAN SANGH) OF THE OPPOSITION IN THE MAHARASHTRA UPPER HOUSE COMPLAINED IN LATE MARCH ON THE FLOOR OF THE HOUSE THAT PRISONERS HAD BEEN TORTURED. SOME FORTY PERSONS -- LOWER-LEVEL OPPOSITION PARTY WORKERS -- WERE ALLEGEDLY BEATEN, COMPELLED TO GO WITHOUT FOOD AND SLEEP, PARADED ON THE STREETS, OR FORCED TO SLEEP NAKED BY LOCAL POLICE WHO WERE TRYING TO EXTRACT INFORMATION ABOUT THE UNDERGROUND. THE CHIEF MINISTER REPLIED THAT HE WOULD INVESTIGATE THE ALLEGATIONS AND IF PROVEN TRUE, THE RESPONSIBLE POLICE OFFICIALS WOULD BE PUNISHED.

3. OUR CALCUTTA CONSULATE BELIEVES THERE HAVE BEEN FEW
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PAGE 02 NEW DE 05310 121359Z

CASES OF TORTURE IN WEST BENGAL. IN PART CONGEN CALCUTTA

BASES ITS IMPRESSION ON THE GENERAL ABSENCE OF STORIES OF TORTURE, IT IS A FAIR ASSUMPTION THAT MANY TALES WOULD BE CIRCULATING IN THE LOCAL GRAPEVINE. THE CONSULATE HAS HEARD (AND ITS POLITICAL LOCALS TEND TO CREDIT THE REPORT) THAT BARUN SEN GUPTA, A POLITICAL WRITER FOR A MASS CIRCULATION BENGALI LANGUAGE NEWSPAPER ANANDA BAZAR PATRIKA, WAS TORTURED FOLLOWING HIS ARREST IN FEBRUARY. THE CONSULATE ALSO RECEIVED UNCONFIRMED REPORTS OF BEATINGS OF POLITICAL PRISONERS AT CALCUTTA'S PRESIDENCY JAIL (FOLLOWING THE NAXALITE BREAK FEBRUARY 24) AND IN ORISSA JAILS. THE CONSULATE IN MADRAS COMMENTS FOR ITS PART THAT IT RECEIVED REPORTS IN EARLY FEBRUARY FROM CONGRESS PARTY CONTACTS THAT SEVERAL DMK PRISONERS, INCLUDING KARUNANIDHI'S SON STALIN, HAD BEEN BEATEN BY JAIL WARDENS USING BATONS, BELTS AND CANES. BUT THE CONSULATE HAS NOT RECEIVED ANY REPORTS POINTING TO A SYSTEMATIC USE OF TORTURE.

4. IN VIEW OF THE FACT THAT MANY THOUSANDS OF POLITICAL PRISONERS CONTINUE TO BE HELD AND THE OPPOSITION PARTIES REMAIN DEMORALIZED, THERE WILL CERTAINLY CONTINUE TO BE A FLOW OF REPORTS OF POLICE BRUTALITY AND TORTURE. AND SOME OF THESE REPORTS UNDOUBTEDLY HAVE A BASIS IN FACT. NONETHELESS THE ATMOSPHERE HERE IS NOT CHARGED WITH SUCH STORIES, DESPITE THE FACT WE ARE IN THE TENTH MONTH OF THE EMERGENCY, AND EMBASSY AND CONSULATE EMPLOYEES DO NOT HAVE EYEWITNESS ACCOUNTS, OR PHOTOGRAPHIC EVIDENCE OF TORTURE THRUST AT THEM. ABSENT ANY DIRECT EVIDENCE IT IS DIFFICULT TO GENERALIZE ABOUT TORTURE OR BRUTALITY, BUT WE AT LEAST DON'T YET HAVE THE VOLUME OF SECONDARY EVIDENCE WHICH WOULD SUGGEST THE PHENOMENON IS WIDESPREAD.

5. THE EMBASSY AND CONSULATES WILL CONTINUE TO FOLLOW THIS HUMAN RIGHTS ISSUE CLOSELY AND REPORT PERIODICALLY.
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